

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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**No. 14-I-087**

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**IN THE MATTER OF:**

**THOMAS GERALD CAMPBELL, CRT**  
*Applicant*

**CONSENT ORDER FOR  
ISSUANCE OF RESPIRATOR  
THERAPY LICENSE WITH  
OFFICIAL REPRIMAND**

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The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board"), following receipt of application of Thomas Gerald Campbell ("Mr. Campbell") for licensure by the Board to practice as a respiratory therapist ("LRT") in this state. While it appears from information available as supplied by Mr. Campbell's application and otherwise that he is generally qualified for issuance of such license, as acknowledged by him in his application, he reported that he has worked as a polysomnographic technologist in Louisiana in 2012 without Board licensure.

On his own behalf, Mr. Campbell advised the Board that he had passed the National Board for Respiratory Care ("the NBRC") in January 2010, and that he had worked as a respiratory therapist in Texas for several years; therefore, he thought he was qualified to practice as a polysomnography technologist in LA. When notified that the practice of polysomnography in Louisiana requires either licensure as a respiratory therapist or certification as a polysomnographic technologist or technician by the Board, he acknowledged that his understanding was in error and accepted his responsibility to understand and comply with all rules and regulations regarding licensure in this state.

As evidenced by his subscription to this Order, Mr. Campbell acknowledges the substantial accuracy of the forgoing information and that such acknowledgment and the reported information would provide the Board with sufficient cause to deny his application pursuant to the Law and/or the Board's rules respecting respiratory therapists.<sup>1</sup>

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<sup>1</sup> La. Rev. Stat. §37:3354.A. provides that "No person shall practice respiratory therapy as defined in this Chapter in this state unless licensed in accordance with the provision of this Chapter."

La. Rev. Stat. §37:3358.A. provides that "The board may deny, refuse to renew a license, may suspend, revoke, or impose probationary conditions on a license if the licensee or applicant for license has been found guilty of unprofessional conduct which has endangered or is likely to endanger the health, welfare, or safety of the public. Such unprofessional conduct shall include: (19) Violation of any rules and regulations of the board or any provisions of this Chapter."

La. Rev. Stat. §37:3360.A. provides that "Any person who is not licensed under the provision of this Chapter or whose license has been suspended or revoked shall not engage in the practice of respiratory therapy in this state

Investigation of the captioned matter was assigned to the Directory of Investigations ("I/O") for the Board. While it appears to the I/O that Mr. Campbell is a well-trained respiratory therapist, the I/O's review and analysis of the mater confirms to her satisfaction that sufficient cause exists to charge Mr. Campbell with one or more violations the of the Louisiana Respiratory Therapy Law (the "Law"), La. Rev. Stat. §37:3354.A, §37:3358.A. (19), and/or the Board's rules respecting respiratory therapists, La. Adm. C. 46XLV. 2501.

Recognizing his right to have notice of such allegations and charges against him, to administrative adjudication of such charges, at which time he would be entitled to be represented by legal counsel, to call witnesses and to present evidence on his own behalf in defense or in mitigation of the charges made and to a decision thereon by the Board based upon written findings of fact and conclusions of law, pursuant to La. Rev. Stat. §§49:951 *et seq.*, Mr. Campbell, nonetheless, hereby waives his right to notice of charges and formal adjudication and pursuant to La. Rev. Stat. §49:955(D), consents to entry of the Order set forth hereinafter. Mr. Campbell further acknowledges and waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951, *et seq.*, or which otherwise may be afforded to him by law to contest his agreement to or the force and effect of this document in any court or other forum relating to the matters referred to herein. By his subscription hereto, Mr. Campbell also hereby authorizes the I/O designated by the Board with respect hereto, to present this Consent Order to the Board for its consideration and to fully disclose to and discuss with the Board the nature and results of the investigation and he waives any objection to such disclosures under La. Rev. Stat. §49:960. Mr. Campbell expressly acknowledges that the disclosure of such information to the Board by the I/O shall be without prejudice to the I/O's authority to file a formal Administrative Complaint against him or to the Board's capacity to adjudicate such Complaint should the Board decline to approve this Consent Order.

Based upon the foregoing information, as well as the recommendation of the I/O, the Board has concluded that its responsibility to ensure the health, safety and welfare of the citizens of this state, pursuant to La. Rev. Stat. §37:3351, will be effectively served by entry of the Order set forth hereinafter by consent. Accordingly, in consideration of the foregoing and pursuant to the authority vested in the Board by La. Rev. Stat. §37:3351 and La. Rev. Stat. §49:955(D);

**IT IS ORDERED** that Thomas Gerald Campbell is hereby **OFFICIALLY REPRIMANDED** for the conduct asserted hereinabove.

**IT IS FURTHER ORDERED** that after successful completion of the licensure application process, a license to practice respiratory therapy shall be issued to Thomas Gerald Campbell, CRT.

**IT IS FURTHER ORDERED** that within six (6) months of the date of this Order, Mr. Campbell shall pay the Board a fine in the amount of \$170, which represents the licensure renewal fee for one (1) year, plus a penalty of an equal amount.

**IT IS FURTHER ORDERED** that any violation or failure of strict compliance with this Order by Mr. Campbell shall be deemed adequate and sufficient cause, upon proof of such

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or use in connection with his name the words 'licensed respiratory therapist', or the letters, 'LRT' or any other words, letters, abbreviations, or insignia indicating in any way, directly or by implication, that he is a licensed respiratory therapist."

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violation or failure, for such disciplinary action as the Board deems appropriate, as if such violations were enumerated among the causes provided in La. Rev. Stat. §37:3358.

**IT IS FURTHER ORDERED** that this Consent Order shall be, and shall be deemed to be, a public record.

Signed in New Orleans, Louisiana, and effective this 19<sup>th</sup> day of May,  
2014.

**LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS**

BY: Mark H. Dawson  
MARK H. DAWSON, M.D.  
*President*

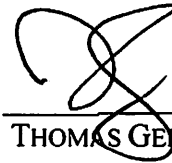
*Acknowledgement and Consent  
On Following Page*

**ACKNOWLEDGMENT  
AND CONSENT**

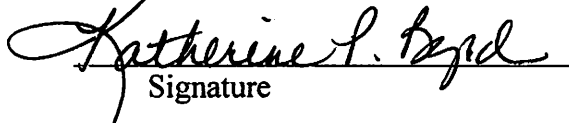
STATE OF LOUISIANA

PARISH OF Bossier

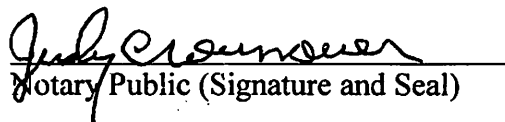
I, THOMAS GERALD CAMPBELL, CRT Applicant., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 29 day of APRIL, 2014.

THOMAS GERALD CAMPBELL, CRT

## WITNESSES:

  
SignatureKatherine P. Byrd  
Printed Name229 Radbrook Dr.  
AddressBossier City La. 71112  
City/State/Zip Code  
SignatureAden R. Williams  
Printed Name802 Grey Fox Circle  
AddressHoughton, LA 71037  
City/State/Zip Code

Sworn to and subscribed before me this 29 day of april, 2014, in the presence of the two stated witnesses.

  
Notary Public (Signature and Seal)JUDY CROWNER 69169  
Printed Name/Notary or Bar Number